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8 Attorneys for Defendant

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 CYNTHIA A. DEMELLO,

14 Plaintiff,

15 v.

16 JO ANNE B. BARNHART,
17 Commissioner of Social Security,

18 Defendant.

CIVIL NO. 06-04711 MHP

STIPULATION AND ORDER EXTENDING
DEFENDANT'S TIME TO FILE
RESPONSE TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

19 IT IS HEREBY STIPULATED by and between the undersigned attorneys, subject to the
20 approval of the Court, that defendant Commissioner may have an extension of 30 days in which to
21 file her response to plaintiff's motion for summary judgment.¹ Defendant's response was due on
22 January 22, 2007, pursuant to Civil L.R.16-5. Defendant's response is now due on February 21,
23 2007.

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¹ See attached Declaration of Jaime Preciado.

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2 This is defendant's second request.
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5 Dated: January 19, 2007 /s/ Barbara M. Rizzo
6 *(As authorized via Fax on January 19, 2007)*
7 BARBARA M. RIZZO
8 Attorney for Plaintiff

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10 KEVIN V. RYAN
11 United States Attorney

12 Dated: January 19, 2007 By: /s/ Jaime L. Preciado
13 JAIME L. PRECIADO
14 Special Assistant United States Attorney

15 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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18 Dated: Jan. 24, 2007

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20 _____
21 MARILYN HALL PATEL
22 United States District Judge
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9 UNITED STATES DISTRICT COURT
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12 CYNTHIA A. DEMELLO,

13 Plaintiff,

14 v.

15 JO ANNE B. BARNHART,
16 Commissioner of Social Security,

17 Defendant.

)
) CIVIL NO. 06-04711 MHP

)
) DECLARATION OF JAIME L. PRECIADO
) IN SUPPORT OF DEFENDANT'S REQUEST
) FOR EXTENSION OF TIME

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19 I, Jaime L. Preciado, declare and state as follows:

- 20
21 1. I am an Assistant Regional Counsel in the Office of the General Counsel for the United
22 States Social Security Administration, Region IX.
- 23 2. I am requesting a 30-day extension for filing Defendant Commissioner's response to
24 Plaintiff's motion for summary judgment in order to file a motion for remand in this case. On January
25 18, 2007, I spoke with Plaintiff's counsel, and although it was agreed that remand was necessary, the
26 language and reasons for a stipulated remand could not be agreed upon. Therefore, a motion for remand
27 is necessary. Plaintiff's counsel agreed to allow Defendant a 30 day extension in order to file the motion.
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1 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

2 Executed in San Francisco, California on January 19, 2007.

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5 By /s/ Jaime L. Preciado
6 Jaime L. Preciado
7 Special Assistant United States Attorney
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